

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-6460

FREDDY ABAD,

Plaintiff - Appellant,

v.

DAVID ROFF, Health Services Administrator; IRWIN FISH, Physician
Assistant; UNITED STATES OF AMERICA,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of Virginia, at Roanoke. James C. Turk, Senior District
Judge. (7:07-cv-00405-jct-mfu)

Submitted: May 22, 2008

Decided: June 2, 2008

Before MOTZ and DUNCAN, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Freddy Abad, Appellant Pro Se. Rick A. Mountcastle, OFFICE OF THE
UNITED STATES ATTORNEY, Roanoke, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Freddy Abad, a federal prisoner, filed a civil rights complaint pursuant to Bivens v. Six Unknown Named Agents of the Fed. Bureau of Narcotics, 403 U.S. 388 (1971), and a claim under the Federal Tort Claims Act. Abad appeals the district court's order granting summary judgment to the Defendants and dismissing without prejudice his complaint for failure to exhaust administrative remedies. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Abad v. Roff, No. 7:07-cv-00405-jct-mfu (W.D. Va. Mar. 18, 2008). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED